

Fact Sheet



For Draft/Proposed Renewal Permitting Action Under 45CSR30 and Title V of the Clean Air Act

Permit Number: **R30-10900013-2012**
Application Received: **July 28, 2011**
Plant Identification Number: **03-54-109-00013**
Permittee: **Kepler Processing Company, LLC**
Facility Name: **Pocahontas No. 51 Preparation Plant**
Mailing Address: **P.O. Box 1392, Pineville, WV 24874**

Revised: N/A

Physical Location:	Pineville, Wyoming County, West Virginia
UTM Coordinates:	449.67 km Easting • 4158.67 km Northing • Zone 17
Directions:	From Pineville, WV, travel west on WV State Route 97 approximately three (3) miles. Facility is adjacent to Route 97.

Facility Description

The Pocahontas No. 51 Preparation Plant is a coal preparation plant with thermal dryer. It operates under SIC Code 1221 and has the ability to screen, break/size, wash, thermally dry, store, and load out/in coal. The maximum capacity of the preparation plant is 1,000 tons per hour of raw coal feed.

Emissions Summary

Plantwide Emissions Summary [Tons per Year]		
Regulated Pollutants	Potential Emissions	2011 Actual Emissions
Carbon Monoxide (CO)	135.73	24.08
Nitrogen Oxides (NO _x)	221.36	97.14
Particulate Matter (PM ₁₀)	158.99	112.78
Total Particulate Matter (TSP)	480.22	151.37
Sulfur Dioxide (SO ₂)	249.00	54.55
Volatile Organic Compounds (VOC)	149.02	65.47
<i>PM₁₀ is a component of TSP.</i>		
Hazardous Air Pollutants	Potential Emissions	2011 Actual Emissions
Hydrochloric Acid	26.28*	4.62
Other Miscellaneous HAPs	3.56*	0.63

Some of the above HAPs may be counted as PM or VOCs.

* The PTEs for these pollutants have increased because they have been recalculated as pre-control emissions.

Title V Program Applicability Basis

This facility has the potential to emit 136 tons per year of CO, 221 tons per year of NO_x, 159 tons per year of PM₁₀, 249 tons per year SO₂, and 149 tons per year of VOC and 26.28 tons per year of Hydrochloric Acid. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, over 10 tons per year of a single HAP, and over 25 tons per year of aggregate HAPs, Kepler Processing Company, LLC is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

This facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR5	Operation of Coal Preparation Plants
	45CSR6	Open burning prohibited.
	45CSR10	Control of Sulfur Dioxide Emissions from Indirect Heat Exchangers
	45CSR11	Standby plans for emergency episodes.
	45CSR13	Permits for Construction, Modification, Relocation and Operation of Stationary Sources
	45CSR16	Standards of Performance for New Stationary Sources Pursuant to 40 CFR Part 60

	WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
	45CSR30	Operating permit requirement.
	40 C.F.R. Part 60 Subpart Y	Standards of Performance for Coal Preparation Plants
	40 C.F.R. Part 61	Asbestos inspection and removal
	40 C.F.R. Part 64	Compliance Assurance Monitoring
	40 C.F.R. Part 82, Subpart F	Ozone depleting substances
State Only:	45CSR4	No objectionable odors.

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (<i>if any</i>)
R13-2104D	June 22, 2006	

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table B," which may be downloaded from DAQ's website.

Determinations and Justifications

- ❖ This is a renewal of the Title V permit which was issued on January 29, 2007. Significant changes to the most recent version of the Title V Permit consist of the following:

1) Title V Boilerplate changes

- Condition 1.2. - This condition has been added to show the latest version of any Rule 13, 14, and 19 permits with the issuance date of such permit.
- Condition 2.1.4. – The word “monthly” was added to the definition of “rolling yearly total.”
- Conditions 3.1.1. and 3.1.2. – These conditions were revised because the language in 45CSR§§6-3.1. & 3.2. was revised.
- Condition 3.1.3. - The citation of authority was changed because 45CSR15 was repealed and 40 CFR 61 is now incorporated into 45CSR34.

- Condition 3.3.1. – Subsection “d” was added to this condition. Also section 14 of WV Code §§22-5-4 (a) was added in the citation of authority.
- Conditions 3.5.3. and 3.5.5. - These conditions were revised to require electronic submittal of the annual certification to USEPA. The certification shall now only be submitted to the USEPA by e-mail. Also the USEPA address and office name were updated in condition 3.5.3.
- 2) **NSR Permit Revision designation.** – The letter in the permit name that designates the NSR permit revision was deleted from the citation of authority where applicable (e.g., R13-2104D is now R13-2104). This change is in conjunction with the addition of condition 1.2. as described above.
- 3) **40 CFR 60 Subpart Y** - The references to conditions of 40 CFR 60 Subpart Y in Title V permit conditions 4.1.3 and 4.3.1 were updated to reflect the numbered conditions as revised in Subpart Y.
- 4) **Section 1.1 “Emission Units” Table** – The table has been updated to match the equipment on site. A crusher which has been physically bypassed since 2011 and no longer in use remains on site only because it too large to economically remove it from inside the building. Because it is still on site and retired “in-place,” it has been added to the equipment table under “Retired In-place Equipment.”
- 5) **Condition 3.7.2. Permit Shield** – Deleted 45CSR1 and 45CSR26. These two State rules have been repealed.
- 6) **Condition 4.1.1.** – Corrections were made to the table regarding transfer designations and/or control equipment as compared to the R13-2104 permit condition.
- 7) **Condition 5.2.1.e.** – The scrubber efficiency was incorporated into equation 1 to more accurately reflect the calculated SO₂ emissions.
- 8) **Condition 5.2.2.** – CAM “Proper Maintenance” language has been added as a requirement from 40 CFR Part 64.
- 9) **Condition 5.3.3.** – The language was updated to eliminate the reference to the dates of previous tests. Also, since previous tests have been performed, the frequency table has been modified to delete the rows referencing “Initial” test. “40 CFR §64.6(d)” was changed to “40 CFR §64.7(d)” in the citation of authority. Initial testing for CAM has been completed and the citation of authority for the CAM excursion [40 CFR §64.7(d)] had been previously omitted.
- 10) The citation of authority was updated to include “45CSR§30-5.1.c.” in conditions 5.4.2., 5.4.3., 5.4.4., and 5.5.2.
- ❖ **40 CFR Part 64** – This is a 2nd renewal. Since CAM was addressed in the first renewal and there were no modifications to the facility that would have triggered a CAM review subsequent to the first renewal, a CAM evaluation was not made.

Non-Applicability Determinations

The following requirements have been determined not to be applicable to the subject facility due to the following:

- a. 45CSR19 (Non-attainment NSR) - Not located in a non-attainment area or will not contribute to a violation of section
- b. 45CSR27 (Toxic air pollutants - BAT) – does not meet definition of chemical processing unit.
- c. 45CSR28 (Emission Trading and Banking) - not involved in this program.

- d. Section 112 (Hazardous Air Pollutants) - no MACT standard has been promulgated for thermal dryers.
- e. Section 129 (Solid waste combustion) - facility does not combust solid waste.
- f. Section 183(f) (Tank vessel standards) - no tanks/vessels utilized at this facility.
- g. Section 183 (e) - facility is not a regulated entity as defined by Section 183 (e)(C).
- h. NAAQS increments or visibility (temp. sources) – facility has no temporary sources.
- i. Federal Implementation Plan (FIP) - none in place
- j. Title IV of the CAA (Acid Rain) - not an EGU.
- k. Greenhouse Gas (GHG) Permitting - This is a renewal Title V permit and there have not been any modifications that would have triggered a PSD permit. Therefore, there are no applicable GHG requirements

Request for Variances or Alternatives

None.

Insignificant Activities

Insignificant emission unit(s) and activities are identified in the Title V application.

Comment Period

Beginning Date: June 6, 2012
Ending Date: July 6, 2012

All written comments should be addressed to the following individual and office:

Frederick Tipane
Title V Permit Writer
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304

Procedure for Requesting Public Hearing

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

Point of Contact

Frederick Tipane
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0499 ext. 1215 • Fax: 304/926-0478

Response to Comments (Statement of Basis)

Not applicable.